



California Regional Water Quality Control Board

Santa Ana Region



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Arnold Schwarzenegger
Governor

To: FACILITY OWNER / OPERATOR

SUBJECT: NOTICE OF NON-APPLICABILITY (NONA) AND THE GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES, ORDER NO. 97-03-DWQ, NPDES NO. CA0000001 (GENERAL PERMIT)

The General Permit prohibits the discharge of materials other than storm water and authorized non-storm water from industrial sites and requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP), emphasizing best management practices (BMPs) designed to reduce or eliminate the migration of sediment and other pollutants to storm drains and/or receiving waters.

Submission of a NONA constitutes notice that your facility does not require General Permit coverage because it does not have equipment, materials and/or processes associated with industrial activity exposed to storm water. To determine exposure, please complete Attachment 1: Checklist To Evaluate Potential Storm Water Pollutant Sources (Checklist). For each "yes" answer, provide a written explanation addressing how exposure is prevented.

There are significant penalties for submitting false information on the NONA, including the possibility of fine or imprisonment. The submittal of a NONA does not release the facility operator from liability for any violations of the General Permit or the Clean Water Act. Should site conditions change and equipment, materials and/or processes become exposed to storm water, your facility is required to obtain coverage under the General Permit. It is illegal to discharge storm water associated with industrial activity unless your facility obtains coverage. Failure to obtain coverage under the General Permit may result in a mandatory minimum penalty of \$5,000 under Section 13399.33 (a) (1) of the California Water Code.

Submitting the NONA form certifies that a condition of non-applicability exists at your facility and the facility operator will comply with the terms and conditions of 40 CFR 122.26(g).

Please mail your completed NONA with original signature, Checklist and any explanations to:

Inland Storm Water Unit
Santa Ana Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, CA 92501-3348

Incomplete NONA submittals will be returned to the owner's address to be completed and resubmitted. If you have any questions, please contact Nam Nguyen at (951) 321-4582.

Sincerely,

Milasol C. Gaslan, Chief
Inland Storm Water Unit

California Environmental Protection Agency



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State of California
State Water Resources Control Board
NOTICE OF NON-APPLICABILITY

Submission of this Notice of Non-Applicability constitutes notice that the facility operator identified on this form is not required to comply with the Industrial Activities No. 97-03-DWQ Storm Water General Permit.

I. FACILITY INFORMATION

Review the information below. Provide any corrections or missing information. If you are not the current facility operator/owner, also check this box [].

A. Business Owner/Facility Operator Information

**B. Standard Industrial Classification
(SIC) Code(s) and Description(s)
of Business Type(s)**

Name: _____

Title: _____

Contact Person: _____

Contact Phone: () _____

Contact Fax: () _____

Contact E-mail: _____

Mailing Address: _____

City: _____ State: ____ Zip: _____

C. Business/Facility Location

Company Name: _____

Contact Person: _____ Contact Title: _____

Contact Phone: () _____ Contact Fax: () _____

Contact E-mail: _____

Physical Address: _____

City: _____ State: _____ Zip: _____

II. REGULATORY STATUS

Have you applied for a General Industrial Permit for your business/facility in the past?

Yes _____ No _____

- If No, go to Section III
- If yes, what was your previous permit WDID number: _____
 - o When was a Notice of Termination filed? ____ / ____ / ____
 - o Has the Regional Board approved your Notice of Termination? Yes ____ No ____

III. BASIS OF NON-APPLICABILITY

The business owner/facility operator (identified above) is not required to comply with the above General Industrial Permit for the following reason:

- _____ 1. NO EXPOSURE. (Attach letter or explanation if there's not enough room)
e.g. Materials, equipment and processes are not exposed to storm water.
- _____ 2. MANDATORY SIC CODE(S), BUT REQUEST FOR EXEMPTION. My business SIC Code(s) require(s) me to obtain the General Industrial Permit. I request an exemption from obtaining the permit because (Attach letter or explanation if there's not enough room):
e.g. All activities performed indoors, no exposure of any kind, and no discharge at any time.
- _____ 3. NOT REQUIRED TO BE PERMITTED. The facility(s) I operate has no industrial activities which require compliance with a storm water permit. **BOTH** of the following are true:
- A. The SIC Code(s) shown in Section I.B. above are incorrect; and
B. None of the facility activities are required to be permitted (see Item 3).
Type of Business:

- _____ 4. CLOSED FACILITY. The facility(s) I operate is closed and all clean-up, closure, and moving activities are complete.
- Date of closure ____ / ____ / ____ Did you move to new location? Yes ____ No ____

If yes, start date at new location ____ / ____ / ____ Did you file new NOI? Yes ____ No ____

NEW BUSINESS/FACILITY LOCATION INFORMATION

Company/Business Name: _____

Contact Person: _____ Title: _____

Contact Phone: (____) _____ Fax: (____) _____

Contact E-mail: _____

Physical Address: _____

City: _____ State: _____ Zip: _____

____ 5. NO STORM WATER DISCHARGE. None of my facility's storm water discharges directly or indirectly to waters of the United States (such as a river, lake, stream, ocean, municipal storm drain, etc.) because:

____ a. All storm water is retained on site (such as in an evaporation or percolation pond).

____ b. All storm water is discharged to a municipal sanitary sewer system.

____ c. All storm water is discharged offsite (such as in evaporation or percolation ponds).

____ 6. REGULATED BY ANOTHER PERMIT. My facility's storm water discharge is regulated by a separate NPDES Permit.

NPDES Permit No. _____ Date coverage began ____ / ____ / ____

____ 7. NEW BUSINESS OWNER/FACILITY OPERATOR. There is a new business owner/facility operator.

Date facility(s) was transferred to new facility operator ____ / ____ / ____

Have you notified the new facility operator of the storm water NPDES Permit requirements?
Yes ____ No ____

NEW BUSINESS OWNER/FACILITY OPERATOR INFORMATION

Company/Business Name: _____

Contact Person: _____ Title: _____

Contact Phone: (____) _____ Fax: (____) _____

Contact E-mail: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

8. NEVER OPERATED THE BUSINESS/FACILITY. I am not and have never been the owner/operator of a business/facility required to be permitted. I have no responsibility for the business's/facility's regulatory compliance. The correct business owner/facility operator who has regulatory responsibility for the business/facility is:

CORRECT FACILITY OPERATOR/OWNER INFORMATION

Company/Business Name: _____

Contact Person: _____ Title: _____

Contact Phone: () _____ Fax: () _____

Contact E-mail: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

IV. CERTIFICATION

I certify under penalty of law that I am not required to be permitted under the Industrial Activities Storm Water General Permit No. 97-03-DWQ for any facility that I operate. I understand that discharging storm water associated with industrial activity to waters of the United States is unlawful under the Clean Water Act where the discharge is not authorized by a NPDES permit. I am aware that there are significant penalties for submitting false information on this form, including the possibility of fine or imprisonment. I also understand that the submittal of this Notice of Non-Applicability does not release a facility operator from liability for any violations of the General Permit or the Clean Water Act.

PRINTED NAME _____ **TITLE** _____

SIGNATURE _____ **DATE** ____/____/____

CHECKLIST TO EVALUATE POTENTIAL STORM WATER POLLUTANT SOURCES

The purpose of this checklist is to 1) help you determine whether the exposure of industrial activities, materials, and equipment to storm water has been eliminated at the facility, and 2) help Regional Water Board staff evaluate the adequacy of your compliance activities and No Exposure Certification (NEC). Please answer all questions. Answering "YES" to a question does not negate your NEC. For each "yes" answer, explain what you are doing to eliminate or prevent exposure from the potential source. For example, if there are liquid storage tanks outdoors but all the storm water is collected behind secondary containment structures and discharged to the sanitary sewer, then the potential source for storm water exposure may be satisfactorily eliminated. For the purpose of this questionnaire, "outdoors" are areas of the facility that are not beneath permanent roofed structures, and spill contained.

1. All prohibited non-storm water discharges have been eliminated or otherwise permitted.

	YES	NO
a. Are materials, vehicles, or equipment cleaned outdoors?	_____	_____
b. Are wash or rinse waters generated on-site?	_____	_____
c. Are there any discharges (other than storm water) entering the storm drain system?	_____	_____
d. Do any drains under roofed areas discharge to the storm drain system?	_____	_____
e. Have there been any accidental spills into the storm drain system in the last year?	_____	_____
f. Are any process waste waters disposed of outdoors?	_____	_____

2. All significant materials related to industrial activity (including waste materials) are not exposed to storm water or authorized non-storm water discharges.

	YES	NO
a. Are there any materials stored outdoors?	_____	_____
b. Are there any materials handled outdoors?	_____	_____
c. Are there any outdoor loading docks?	_____	_____
d. Are there any above ground liquid or non-liquid storage tanks outdoors?	_____	_____
e. Are there any outdoor loading/unloading operations?	_____	_____
f. Are there any products or by-products manufactured or used outdoors?	_____	_____
g. Are there any waste products manufactured or used outdoors?	_____	_____
h. Are there any outdoor waste disposal areas?	_____	_____
i. Is any process wastewater disposed of outdoors?	_____	_____

- | | | |
|---|-------|-------|
| j. Are there any drums, pallets, or containers stored outdoor? | _____ | _____ |
| k. Are materials handled/stored on immediate access roads/railways? | _____ | _____ |
| l. Are vehicles maintained or fueled outdoors? | _____ | _____ |
| m. Are any materials stored or disposed of in outdoor ponds or impoundments? | _____ | _____ |
| n. Are materials stored outdoors temporarily? | _____ | _____ |
| o. Does any manufacturing take place outdoors? | _____ | _____ |
| p. Have there been any spills or leaks outdoors in the last year? | _____ | _____ |
| q. Are there areas where materials remain exposed to storm water from past industrial activity? | _____ | _____ |

3. All industrial activities and industrial equipment are not exposed to storm water or authorized non-storm water discharges.

- | | YES | NO |
|---|------------|-----------|
| a. Are any material handling vehicles (such as forklifts) parked outdoors? | | |
| b. Is permanent industrial equipment (such as trash/paper compactor, racks, machine with moving parts, etc.) located outdoors? | _____ | _____ |
| c. Is portable industrial equipment used outdoors? | _____ | _____ |
| d. Do any material handling vehicles (such as forklifts and trucks) or outdoor industrial equipment come into contact with materials? | _____ | _____ |
| e. Is there any unhoused rooftop equipment (such as air conditioners, scrubbers, etc.)? | _____ | _____ |

4. There is no exposure of storm water to significant materials associated with industrial activities through direct or indirect pathways such as from industrial activities that generate dust and particulates.

- | | YES | NO |
|--|------------|-----------|
| a. Are there any emissions of dust or particles from stacks or air exhaust systems? | _____ | _____ |
| b. Are there any emissions of dust or particles from other outlets such as windows, loading docks, etc.? | _____ | _____ |
| c. Have there been any spills or leaks associated with the maintenance of stacks or air exhaust systems? | _____ | _____ |